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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,040	06/01/2005	Manickam A. Gounder	A02127US	6643

7590 03/03/2008
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EXAMINER

HUNNINGS, TRAVIS R

ART UNIT	PAPER NUMBER
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2612

MAIL DATE	DELIVERY MODE
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03/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/537,040

Applicant(s)

GOUNDER, MANICKAM A.

Examiner

TRAVIS R. HUNNINGS

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2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 8-10, 16-18 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Wolfe (US Patent 6,922,133).

Regarding claim 1, Wolfe discloses *Method And Apparatus For Providing A Proof Of Delivery Verification For Freight Transportation Systems* that has the following claimed limitations:

The claimed processing unit disposed in the container, the processing unit receiving real time geographical information from the global positioning system and a communication module to transmit the geographic information is met by the MCT unit (column 3, lines 19-54) receiving position information from the GPS satellites (column 5, lines 46-67);

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The claimed central data processing unit including a communications module for receiving and recording geographical information from the communications module of from the container is met by the remote station (column 3, lines 19-54);

The claimed means for inputting geographical information of a final destination for the transportable container in the central data processing unit including means for comparing the real time geographical information of the container to the final destination geographical information for the container is met by the remote station recording delivery data and determining if the container is at the destination (column 4, lines 4-67);

The claimed signaling means connected to the central data processing unit to activate the container locking device to be unlocked when the container reaches its final destination is met by the device unlocking when the final destination is reached (column 4, lines 53-67).

Regarding claim 2, the claimed locking device contains authorizing means for receiving a predetermined password to initiated the activation of the locking device is met by the keypad for unlocking through entering in a specific code (column 6, lines 15-31).

Regarding claim 8, the claimed central data processing unit may be accessed by a remote secondary central data processing unit whereby the data retained in the central data processing unit may be monitored and revised from the secondary location

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is met by the carrier (110) being connected to the central station (102) as seen in figure 1, and the carrier generating shipment codes (column 9, lines 50-64) and also receiving information from the remote station regarding shipment delivery (column 12, lines 12-34).

Regarding claims 9 and 17, the claims are interpreted and rejected as claim 1 stated above.

Regarding claims 10 and 18, the claims are interpreted and rejected as claim 2 stated above.

Regarding claims 16 and 24, the claims are interpreted and rejected as claim 8 stated above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 4, 11, 12, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfe in view of Kuma (US Patent 5,907,286).

Regarding claim 3, Wolfe does not specifically disclose the claimed authorizing means being a programmable user insert card and the locking device includes a programmable user card reader. Kuma discloses *Transport Container And Transport Container Managing System* that teaches a magnetic card reader with a user card for unlocking the container (column 33, lines 32-39). While Kuma discloses a keypad for unlocking of the door, one of ordinary skill in the art would have realized that switching out the keypad for a card reader with a user carried magnetic card would not only provide more options for how the container could be opened but would also prevent the problem of the user forgetting the correct keypad entry sequence to open up the container. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wolfe according to the teachings of Kuma to include a programmable user insert card and the locking device includes a programmable user card reader.

Regarding claim 4, the claimed user card and central data processing unit may be programmed such that the programmable user card will authorize activation of the locking device by overriding the final destination geographic information whereby the container may be opened for inspection intermediate its transportation to a final destination is met by the device of Wolfe being able to be opened when desired through user entry (using the keypad or magnetic card as taught by Kuma) or by remote station (Wolfe: column 4, lines 53-67 and column 6, lines 15-46).

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Regarding claims 11 and 19, the claims are interpreted and rejected as claim 3 stated above.

Regarding claims 12 and 20, the claims are interpreted and rejected as claim 4 stated above.

5. Claims 5, 6, 13, 14, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfe in view of Denekamp et al. (Denekamp; US Patent 4,750,197).

Regarding claim 5, Wolfe does not specifically disclose the claimed locking device including an alarm means and the alarm is enabled by an unauthorized attempted activation of the locking device. Denekamp discloses *Integrated Cargo Security System* that teaches providing a local alarm that annunciates an unauthorized event such as unexpected door opening (column 4, lines 19-33). Adding an alarm to Wolfe would increase the overall security of the device by alerting the user that an unauthorized event has occurred. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wolfe according to the teachings of Denekamp to provide an alarm in response to an unauthorized event such as a unexpected door opening (unauthorized attempted activation of the locking device).

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Regarding claim 6, the claimed alarm being an audible alarm is met by the alarm being annunciated (Denekamp: column 4, lines 19-33).

Regarding claims 13 and 21, the claims are interpreted and rejected as claim 5 stated above.

Regarding claims 14 and 22, the claims are interpreted and rejected as claim 6 stated above.

6. Claims 7, 15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wolfe in view of Denekamp and further in view of Kuma.

Regarding claim 7, Wolfe and Denekamp disclose all of the claimed limitations except for the claimed alarm being communicated to the central data processing unit. Kuma teaches reporting alarm information to a central monitoring station (column 11, lines 62-67). Taking the alarm from an unauthorized event in Wolfe and Denekamp and reporting that to the remote station would provide the user with an added level of security and information by allowing a remote user to monitor for alarms and react accordingly. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device disclosed by Wolfe and Denekamp according to the teachings of Kuma to communicate the alarm to the remote station.

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Regarding claims 15 and 23, the claims are interpreted and rejected as claim 7 stated above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TRAVIS R. HUNNINGS whose telephone number is (571)272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George A. Bugg can be reached on (571) 272-2998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TRH

George Bugg / Primary Examiner
